

Appl. No. : **[REDACTED] known**  
Filed : **September 12, 2001**

31. (Amended) The recombinant polynucleic acid of claim 21, wherein said plant-expressible promoter is a constitutive promoter.

32. (Amended) The recombinant polynucleic acid of claim 21, wherein said plant-expressible promoter is an inducible or a tissue-specific promoter.

33. (Amended) A cell of a plant, transformed with the recombinant polynucleic acid of claim 21.

37. (Amended) A probe which is part of a polynucleic acid sequence according to claim 1 and which hybridizes specifically with said polynucleic acid or a complement thereof.

38. (Amended) A probe derived from a polynucleic acid sequence according to claim 1 and which specifically amplifies with said polynucleic acid or a complement thereof.

REMARKS

Applicant respectfully requests entry of the above amendments prior to examination of the above-referenced application. The specification was amended to include reference to the priority applications. The claims were amended to delete the multiple dependent claim format. No new matter is introduced as a result of these amendments. The changes made to the claims, including [deletions] and additions, are shown on an attached sheet entitled **VERSION WITH MARKINGS TO SHOW CHANGES MADE**, which follows the signature page of this amendment.

Please charge any fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9/12/01

By:



Mark R. Benedict  
Registration No. 44,531  
Attorney of Record  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
(949) 760-0404